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BUTTERMAN ASSOCIATES

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UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

INDEMNITY INSURANCE COMPANY
 OF NORTH AMERICA,

Plaintiff,

- against -

LAKEVILLE MOTOR EXPRESS, INC.;
 H & B TRUCK LINE INC.;

Defendants.

07 Civ. 4807 (CM)

**STIPULATION & ORDER
 OF DISCONTINUANCE**

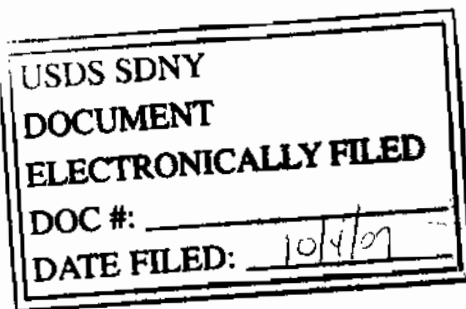
A settlement agreement having been reached, it is hereby stipulated and agreed that this action is discontinued as to all parties pursuant to Rule 41 (a) (1)(ii) Federal Rules of Civil Procedure, with prejudice but with each party to pay its own costs and attorney fees.

It is further stipulated and agreed that, if the settlement funds are not paid within sixty (60) days of the entry of this order, this action will be restored to the active docket of this Court upon letter application of plaintiff's counsel.

Dated: New York, New York
 October 24, 2007

SO ORDERED

Colleen McMahon
 Honorable Colleen McMahon
 United States District Judge




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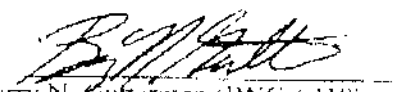
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